

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GRACIELA BELTRAN, *et al.*

Plaintiffs,

vs.

CAPITOL RECORDS, LLC, f/k/a, CAPITOL
RECORDS, INC. AND EMI MUSIC, INC.,

Defendants.

MARTHA DAVIS, *et al.*,

Plaintiffs,

VS.

EMI GROUP LIMITED,

Defendant.

DALE BOZZIO, *et al.*,

Plaintiffs,

VS.

EMI GROUP LIMITED, *ET AL.*

Defendants.

Case No.: 12-cv-1002 YGR

**ORDER DENYING MOTION TO
CONSOLIDATE WITHOUT PREJUDICE**

12-cv-1602

12-cv-2421

On June 26, 2012, Plaintiff Graciela Beltran filed her Motion for Order of Consolidation seeking to consolidate the actions of *Graciela Beltran, et al. v. Capitol Records, LLC, et al.*, Case No.

1 12-cv-1002, *Martha Davis, et al. v. EMI Group Limited*, Case No. 12-cv-1602, and *Dale Bozzio, et al.*
2 *v. EMI Group Limited, et al.*, Case No. 12-cv-2421. Defendants oppose the motion to consolidate.

3 The Court has broad discretion to determine whether consolidation is warranted. *Investors*
4 *Research Co. v. U.S. Dist. Ct. for the Southern Dist. of Cal.*, 877 F.2d 777, 777 (9th Cir. 1989). Here,
5 the pleadings are not yet settled. Defendants have raised questions regarding the enforceability of the
6 contract in *Beltran*. Pending in these related actions are motions to dismiss the amended complaints
7 in *Beltran* and in *Bozzio*. Moreover, since the motion to consolidate was filed, an additional case has
8 been ordered related to these pending matters, *Ralph Vierra Tavares, et al., v. Capitol Records, LLC,*
9 *et al.*, Case No. 12-cv-3059. (See Order dated July 18, 2012, Dkt. No. 50.)

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11 Considerations of judicial efficiency and prompt resolution of the issues aimed at the
12 individual complaints do not favor consolidation at this time. The motion is **DENIED** without
13 prejudice to a future motion or stipulation.

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15 This Order Terminates Docket Number 45 in 12-cv-1002.

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17 **IT IS SO ORDERED.**

18 **Date: August 1, 2012**

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YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE